

### REMARKS/ARGUMENTS

The action by the Examiner of this application, together with the cited references, has been given careful consideration. Following such consideration, claims 1 and 6 have been amended to define more clearly the patentable invention applicants believe is disclosed herein. Moreover, claims 10-13 have been added. Claims 2-5 and 7-9 are unchanged by the present amendment paper. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

The Examiner has rejected claims 1-2, 4-5, and 6-9 under 35 U.S.C. 102(b), as being anticipated by U.S. Patent No. 5,696,686 to Sanaka et al. Moreover, the Examiner has rejected claim 3 as being obvious in view of the combined teachings of Sanaka et al. '686 and U.S. Patent No. 6,314,415 to Mukherjee. It is respectfully submitted that neither Sanaka et al. '686 nor Mukherjee '415, taken individually or in combination, teaches or suggests the applicant's invention as set forth in the present claims.

Independent claim 1 now recites "a communication server interface in *bi-directional* communication with the at least one instrument tracking client and the at least one antimicrobial treatment device, said communication server interface programmed to: request data from the at least one antimicrobial treatment device *by transmission of a command from the communication server interface to the at least one antimicrobial treatment device....*"

Similarly, claim 6 now recites "a communication server interface in *bi-directional* communication with at least one instrument tracking client and at least one antimicrobial treatment device, said communication server comprising: means for requesting data from the at least one antimicrobial treatment device *by transmission of a command from the communication server interface to the at least one antimicrobial treatment device....*"

Referring to the specification of the present application, examples of commands transmitted from the applicant's communications server interface to at least one antimicrobial treatment device are found in TABLE I providing exemplary messages and fields for the SetMessage function. Particular reference is made to the following MessageNames: AddOperatortoDevices; AddPhysicianstoDevices; DeleteLotfromDevice; DeleteOperatorfromDevices; SendControlCodetoDevice; and SendPackInfoToDevice.

Furthermore, it is noted at paragraph [0060] that:

The SetMessage function allows any client 24 to issue a command to communication server 50. Communication server 50 then responds to the command, but does not return any data to client 24.

In some cases, communication server 50 *sends a command to an antimicrobial treatment device 80* in response to a SetMessage function.

With regard to paragraph [0063] it is stated:

The OnGetMessage function allows communication server 50 to request a client 24 to send information to communication server 50. Communication server 50 can then *forward the information to an antimicrobial treatment device 80* that needs the information. Client 24 may send the requested information to communication server 50 using the SetMessage function.

The Examiner argues that Sanaka's supervisory controller 100 is equivalent to the claimed "instrument tracking client," Sanaka's sterilizer 15 is equivalent to the claimed "antimicrobial treatment device," and Sanaka's sterilization monitoring node 20 is equivalent to the claimed "communications server interface."

The Examiner further argues that Sanaka et al. '686 teaches a communications server interface programmed to "request data from the at least one antimicrobial treatment device." This limitation has now been amended to explicitly define this operation as including "transmission of a command from the communications server interface to the at least one antimicrobial treatment device." It is respectfully submitted that Sanaka et al. '686 does not teach or suggest the transmission of commands from a communications server interface to at least one antimicrobial treatment device.

With reference to FIGS. 1 and 3 of Sanaka et al. '686, arrowheads on data lines electrically connecting sterilizer controller 25 (of sterilizer 15) to sterilization node 20 indicate *unidirectional* data signals *from* sterilizer controller 16 *to* sterilization monitoring node 20.

Sanaka et al. '686 discloses a quality control system that gathers sterilization process control data from sterilization controller 16 and subsequently generates sterilizer cycle condition records that include: sterilization run success/failure indication, lot number, and sterilization run number from the sterilization controller (see column 2, lines 25-30). With

reference to column 4 lines 50 *et seq.* Sanaka et al. '686 describes sterilizer control device 25 of sterilizer 15 as serially broadcasting sterilization process data 16 and alarm data to a sterilization monitoring node 20, via a data line 16b. Sterilization node 20 processes ASCII sterilizer data and automatically generates a sterilization report. At column 7 lines 30-37, Sanaka et al. '686 discloses that sterilizer monitoring node 20 includes an 8-channel serial card 22 that *receives* serial data from the sterilizer controller 25 via dedicated asynchronous serial line 16b that is split from the main sterilizer data line output 16.

Beginning at column 8 lines 66-67 and column 9 lines 1-27, Sanaka et al. '686 discloses that "sterilizer controller 25 provides *one way communication* with the sterilizer monitoring node 20 through an ASCII data stream on an RS-232 serial interface...." It is further noted that FIGS. 1 and 3 generally illustrate the flow of data to and from the sterilizer monitoring node 20 system for controlling the sterilizer monitoring process.

It is respectfully submitted that Sanaka et al. '686 fails to teach or suggest transmission of data *from* sterilization monitoring node 20 *to* sterilizer control device 25 or sterilizer 15. Furthermore, it is respectfully submitted that Mukherjee '415 also fails to teach or suggest the deficiencies of Sanaka et al. '686 discussed above. Accordingly, it is respectfully submitted that the applicant's invention as presently claimed is patentable over the cited references.

The remaining claims depend from the independent claims 1 and 6. Thus, it is respectfully submitted that these claims are patentable over the cited references for at least the reasons set forth above in connection with independent claims 1 and 6.

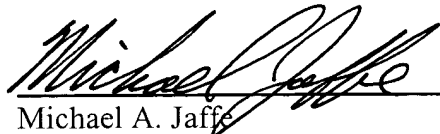
The cited references made of record and not relied upon have also been reviewed. It is respectfully submitted that none of these additional references teaches or suggests the applicant's invention as defined by the present claims.

In view of the foregoing, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any further matters that need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. ST8774US.

Respectfully submitted,

Date: May 27, 2005

  
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I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 27, 2005

  
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